



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 46
Comm #: 54660-2509-15
BRRTS #: 03-42-001051
Site Name: Tomah Mini Mart
Site Address: 215 W Clifton St, Tomah, 54660
Site Manager: Tom Kendzierski
Address: 1300 W Clairemont Ave
City, State Zip: Eau Claire, WI 54702-4001
Phone: 715-839-1604
e-mail: thomas.kendzierski@wisconsin.gov
Bid Manager: Brian F. Taylor
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 266-0593
e-mail: Brian.Taylor@Wisconsin.Gov

Bid-Start Date:	November 20, 2006
Questions must be received by (See Section 2 (B)):	December 04, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	December 22, 2006
Bid-End Date and Time:	January 05, 2007, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Quality Quick Print-Eau Claire, 1213 Menomonie St, Eau Claire, WI 54703
Phone: (715) 836-0049 Fax: (715) 836-7704

SECTION 2 – Site-Specific Bid Requirements

General Comments:

Site is an active gas station.

Minimum Remedial Requirements:

System Installation

Due to the high contaminate mass, threat to municipal well systems and period free product, an active in situ remedial strategy must be implemented that is appropriate for site characteristics [to remedy mostly smear zone soil contamination]. An engineered air sparge and soil vapor extraction system must be installed and operated to remove contaminant mass. The system must be designed and operated such that sufficient contaminant mass is removed so that natural attenuation will effectively address the remaining groundwater contamination. The system must be designed such that the quantities of contaminant mass can be measured. The system must be installed to remedy contamination over the source area. For the purposes of the bid, bidders shall assume the system will consist of 5 air sparge and 6 soil vapor extraction wells and will be operational for 24 months. Bidders shall include a contingency cost to treat effluent air if upon startup it exceeds DNR air standards. See attached map for approximate well locations.

The lowest cost bidder will be asked to provide on short notice (fax or email) during the bid evaluation process, a diagram depicting the system construction and layout details, and the estimated radius of influence for the wells to be ultimately considered compliant.

Appropriate system monitoring and measurements shall be conducted during system startup, at the end of the first week, and monthly after that.

During system operation, brief quarterly reports must be submitted to the DNR Project Manager and copy to Commerce. These reports should include: free product levels; groundwater levels; total contaminant mass extracted to date; system operation details; system effectiveness evaluation; groundwater sampling results.

An as-built report must be submitted to the DNR Project Manager within six months of system startup.

Groundwater Sampling

During system operation, conduct quarterly groundwater sampling and analysis of the monitoring well network. Analyze groundwater for petroleum volatile organic compounds (PVOCs) + naphthalene in all wells.

After system shutdown, conduct two years of quarterly groundwater sampling and analysis. Analyze groundwater for petroleum volatile organic compounds (PVOCs) + naphthalene in all wells. Natural attenuation parameters must be sampled for at least once each year in all monitoring wells. In addition obtain water quality data from the Tomah municipal well system from the municipal wells that are threatened.

Groundwater elevations must be measured in all monitoring wells and the piezometers, reported in tabular form, and groundwater flow diagrams prepared for each sampling round. Horizontal and vertical gradients must be calculated. If free product is encountered in a monitoring well during a groundwater sampling event, the product shall be documented/removed (as indicated below), and a groundwater sample should still be collected. As much free product should be removed as practical prior to normal well purging.

The bid shall include costs for disposal of all investigative/remediation wastes. Currently there is one drum of contaminated water/free product on site.

Reporting

Annual reports summarizing post-system shutdown groundwater sampling and free product status updates (if applicable) must be submitted to the DNR Project Manager.

Upon completion of the work scope discussed above, evaluate site conditions and all historical soil and groundwater analytical data, and evaluate the potential for closure consistent with the requirements of ch. NR 726, Wis. Adm. Code and indicate the results of this evaluation in the final annual report. If appropriate, prepare and submit a complete closure report and GIS Registry packet for closure consideration by the Department of Natural Resources. The report must include all historical data, document all historical activities, and include the data results and documentation of the work activities completed in accordance with this bid. If closure is not available upon completion of the work scope discussed above, then a final report of data results and documentation of the work activities completed in accordance with this bid shall be submitted to the DNR (and copied to Commerce).

On page 3 of the bid response provide a tabulation of total (consultant and commodity) bid costs. Include separate total costs for the activities up to and including shut down of the active in situ remediation system (24 month period), six months of additional system operation, monitoring, and reporting, and the post system shutdown natural attenuation (RNA) groundwater monitoring and reporting. The lowest cost bid will be determined based on the total bid amount. The initial cost cap will be based on the amount provided by the winning bidder for the activities up to and including shut down of the active in situ remediation system (24 month period). Subsequent cost caps will be determined following the successful completion of all the activities under the initial cost cap. The consultant shall obtain approval to either continue operation of the system for 6 additional months (followed by shut down), or begin the post system RNA monitoring. Approval shall be obtained through a request to the WDNR project manager and Commerce shall be copied. The request shall include total costs incurred to-date under the existing cost cap. At the time of approval, and with Commerce concurrence (through a change order), the subsequent cost cap will be determined using the values provided on page 3 of the bid response.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in

ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in

this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Tomah Mini Mart

COMMERCE #: 54660-2509-15

BRRTS #: 03-42-001051

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____
Complete Mailing _____
Address: _____

Telephone: () - _____
Fax Number: () - _____
E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Tomah Mini Mart
COMMERCE #: 54660-2509-15
BRRTS #: 03-42-001051

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

Total costs for all activities up to and including system shut down (24 months of operation). Includes, but is not limited to, groundwater monitoring, free product measurement and removal, waste disposal, and reporting. \$ _____

Total costs for an additional 6 months of system operation. Includes associated groundwater monitoring, free product measurement and removal, and waste disposal and reporting. \$ _____

Total costs for two years of post-system RNA groundwater monitoring. Includes waste disposal and reporting \$ _____

Total Bid Amount (sum) → also include on Page 1 of bid response \$ _____

Contingency Costs (Treatment of Effluent Air) \$ _____

\$ _____

BID RESPONSE

(3rd Page)

Department of Commerce PECFA Program

SITE NAME:

COMMERCE #:

BRRTS #:

Consulting Firm Name: _____

This response must address all of the site-specific requirements identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be *stapled* together. No paper clips or spiral bindings please.